

RULES AND REGULATIONS

2 VAC 5-190-10 through 2 VAC 5-190-30

(Previously VR 115-02-17)

Establishing A

MONITORING PROGRAM FOR AVIAN INFLUENZA AND OTHER POULTRY DISEASES

Virginia Department of Agriculture
and Consumer Services

DIVISION OF ANIMAL INDUSTRY SERVICES

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Establishing a Monitoring Program for Avian Influenza and Other Poultry Diseases (Previously VR 115-02-17)

Promulgated Pursuant to
Sections 3.1-324 and 3.1-326
of the
Code of Virginia of 1950

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REGULATIONS 2 VAC 5-190-10 through 2 VAC 5-190-30

**Establishing A
MONITORING PROGRAM FOR
AVIAN INFLUENZA AND OTHER POULTRY DISEASES**

Pursuant to the authority in Sections 3.1-724 and 3.1-726 of the Code of Virginia (1950), as amended, the Board of Agriculture and Consumer Services hereby adopts the following rules and regulations relating to Establishing a Monitoring Program for Avian Influenza and Other Poultry Diseases.

2 VAC 5-190-10. Definitions.

The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:

"Avian influenza" means any one of several infections or disease syndromes in avian species caused by Type A influenza viruses of the Orthomyxovirus group.

"Backyard flock" means a flock of fewer than 500 birds maintained on private premises for the sole use of the owner.

"Breeding flocks" means poultry used to produce fertile eggs to produce poultry for multiplier flocks.

"Broiler breeder" means a chicken used to supply fertile eggs to hatcheries for the production of broilers.

"Broiler" means a chicken that is grown exclusively for food purposes.

"Commercial toms and hens" means immature male and female turkeys that are grown to market size for food purposes.

"Cockerel" means a young male chicken.

"Confined wild birds" means any live wild fowl which are confined by means of pens or other structures, or which are pinioned, and includes their offspring which are regulated by State or Federal permits.

"Department" means the Virginia Department of Agriculture and Consumer Services.

"Exotic Newcastle disease" means the velogenic or viscerotropic form of the disease of poultry caused by the Newcastle Disease Virus (NDV) of the Paramyxovirus group.

"Flock" means all of the poultry on one premises, except that, at the discretion of the Department, any group of poultry which is segregated from other poultry and has been so segregated for a period of at least 21 days may be considered as a separate flock.

"Fowl typhoid" means an infection of poultry caused by *Salmonella gallinarum*.

"Game farm" means any location where a variety of avian species such as waterfowl, pheasant, quail, peafowl, etc. that qualify as game fowl are congregated or raised individually or otherwise.

"Game fowl" means any variety of avian species hunted for food or sport or specifically raised for sport.

"Grower of poultry" means any person, including an employee, agent or independent contractor, who grows, raises, or keeps poultry for himself or for another.

"Hatchery" means incubators, hatchers, and auxiliary equipment on one premises operated and controlled for the hatching of poultry.

"Layers" means chickens that produce eggs for food purposes.

"Multiplier flock" means poultry used to produce fertile eggs to produce poultry for egg production and broiler flocks.

"Owner" means any person or firm that owns poultry.

"Person" means any person, firm, partnership, corporation, or institution.

"Poultry" means live fowl, including chickens, turkeys, waterfowl, and game birds, which are propagated and maintained under the control of any person.

"Poults" means young turkeys.

"Pullets" means young female chickens.

"Pullorum disease" means an infection of poultry caused by *Salmonella pullorum*.

"Salmonella enteritidis" means a specific bacterial organism capable of producing severe gastroenteritis in humans and many animals.

"Slaughter birds" means any birds that are slaughtered at establishments that have been issued a grant of inspection by the U. S. Department of Agriculture, Food Safety Inspection Service or by the Department.

"Small privately owned layer flocks" means any flock of fewer than 500 birds that is used to produce eggs for food purposes and is privately owned.

"Specimens" means samples, including but not limited to samples of blood, tissues, eggs, and swabs, as well as samples taken from the environment in which a bird lives.

"State Veterinarian" means a veterinarian employed by the Commissioner of Agriculture and Consumer Services who is responsible for the animal health programs in the Commonwealth.

"Turkey breeders" means turkeys that are used to supply fertile eggs to hatcheries for the production of commercial toms and hens.

2 VAC 5-190-20. Inventory.

Any person governed by 2 VAC 5-190-30 of this regulation shall disclose to the State Veterinarian within 10 days after the State Veterinarian's request the numbers of birds in each classification of poultry identified in subsections D and E of 2 VAC 5-190-30.

2 VAC 5-190-30. Specimen submissions.

- A. All growers of poultry shall submit to a state laboratory for diagnostic testing specimens from poultry they grow, as specified in subsection C. of this section.
- B. All persons operating slaughtering plants, egg plants, hatcheries, layer houses, or any other poultry-raising, poultry-keeping or poultry-handling endeavor also shall submit such specimens from poultry they grow, handle, or process, as specified in subsection C. of this section.
- C. Specimens from poultry submitted pursuant to subsections A. and B. of this section for laboratory analysis shall be for diseases governed by Section 3.1-726, Code of Virginia, in the number and kind and at a time designated by the State Veterinarian.
- D. Specimens submitted in accordance with subsection C. of this section shall be from the following classes of poultry.
 - 1. Chickens
 - a. Slaughter birds
 - b. Broiler breeders
 - c. Layers
 - d. Layer breeders
 - e. Broilers
 - f. Pullets
 - g. Cockerels
 - 2. Turkeys
 - a. Slaughter birds
 - b. Turkey breeders
 - c. Commercial toms and hens
 - d. Poults
 - 3. Game birds
 - a. Bobwhite quail
 - b. Chukar partridge
 - c. Pheasant
 - d. Others
- E. Specimens that are required for laboratory testing to detect infectious and contagious diseases shall be submitted as directed by the State Veterinarian from the following:
 - 1. Exhibition birds;
 - 2. Birds from small privately owned layer flocks;

3. Birds on game farms; and
 4. Birds in backyard flocks.
- F. Disposition of poultry that have recovered from infectious or contagious diseases.

Nothing in this regulation shall prohibit the marketing of poultry that have recovered from avian influenza, but the marketing of such recovered poultry shall occur only with the prior approval of the State Veterinarian.